FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2016 SEP 22 PM 2:41
STEPHAN HARRIS, CLERK
CHEYENNE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA, Plaintiff, v. **RANDY MILLER,** Defendant.	**No. 15-CR-239-F** **Cts. 1-2: 18 U.S.C. §§ 1028(a)(7) and (b)(2)(B)** (Unlawful Use of a Means of Identification) **Ct. 3: 42 U.S.C. § 408(a)(7)(B)** (Misuse of a Social Security Number) **Ct. 4: 18 U.S.C. § 1028A(a)(1)** (Aggravated Identity Theft) **** FORFEITURE NOTICE****

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about July 11, 2012, in the District of Wyoming, the Defendant, **RANDY MILLER,** did knowingly use, in and affecting interstate commerce and without lawful authority, a means of identification of another person—specifically, the name, birthdate, Arizona driver's license number, social security number and signature of N.D., a person known to the grand jury—with the intent to commit, and in connection with, an unlawful activity that constitutes a felony under an applicable State law; specifically, the Defendant used N.D.'s means of identification with intent to commit, and in connection with, the forgery of N.D.'s signature on State of Wyoming citation number 042168F issued by a Cody Police Department officer for driving while under the influence of alcohol on July 11, 2012, which forged signature was in violation of Wyoming Statute 6-3-602(a)(ii) and (b).

In violation of 18 U.S.C. §§ 1028(a)(7) and (b)(2)(B).

COUNT TWO

On or about July 11, 2012, in the District of Wyoming, the Defendant, **RANDY MILLER,** did knowingly use, in and affecting interstate commerce and without lawful authority, a means of identification of another person—specifically, the name, birthdate, Arizona driver's license number, social security number and signature of N.D., a person known to the grand jury—with the intent to commit, and in connection with, an unlawful activity that constitutes a felony under an applicable State law; specifically, the Defendant used N.D.'s means of identification with intent to commit, and in connection with, the forgery of N.D.'s signature on State of Wyoming citation number 042169F issued by a Cody Police Department officer for speeding on July 11, 2012, which forged signature was in violation of Wyoming Statute 6-3-602(a)(ii) and (b).

In violation of 18 U.S.C. §§ 1028(a)(7) and (b)(2)(B).

COUNT THREE

On or about July 11, 2012, in the District of Wyoming, the Defendant, **RANDY MILLER,** for the purpose of obtaining something of value and for other purposes, knowingly and with intent to deceive represented a number ending in 1314 to be his Social Security number when in fact, and as the Defendant well knew, that number was not his Social Security number.

In violation of 42 U.S.C. § 408(a)(7)(B).

COUNT FOUR

On or about July 11, 2012, in the District of Wyoming, the Defendant, **RANDY MILLER,** knowingly used without lawful authority a means of identification of another person during and in relation to a criminal offense under 42 U.S.C. 408(a)(7)(B) in that the Defendant misused the Social Security number of N.D., a person known to the grand jury, as charged in Count 3 of this indictment.

All in violation of 18 U.S.C. § 1028A(a)(1).

FORFEITURE NOTICE

Upon conviction of an offense in violation of 18 U.S.C. § 1028 as set forth in this Indictment, the Defendant, **RANDY MILLER,** shall forfeit to the United States of America any personal property used or intended to be used to commit the offense.

All pursuant to 18 U.S.C. § 1028(b)(5) and 28 U.S.C. § 2461(c).

A TRUE BILL:

s/Ink Signature on File in Clerk's Office
FOREPERSON

CHRISTOPHER A. CROFTS
United States Attorney

PENALTY SUMMARY - 15-CR-239-F

DEFENDANT NAME: **RANDY MILLER**

DATE: September 15, 2016

INTERPRETER NEEDED: No

PLACE OF TRIAL: The government, pursuant to Rule 18, F.R.Cr.P., with due regard for the convenience of the Defendant, any victim and witnesses, and the prompt administration of justice, requests trial be held in:

Cheyenne

VICTIM(S): Yes

OFFENSE/PENALTIES:

Cts. 1-2: **18 U.S.C. §§ 1028(a)(7) and (b)(2)(B)**
(Unlawful Use of a Means of Identification)

0-5 Years Imprisonment
$250,000 Fine
3 Years Supervised Release
$100 Special Assessment

Ct. 3: **42 U.S.C. § 408(a)(7)(B)**
(Misuse of a Social Security Number)

0-5 Years Imprisonment
$250,000 Fine
3 Years Supervised Release
$100 Special Assessment

Ct. 4: **18 U.S.C. § 1028A(a)(1)**
(Aggravated Identity Theft)

2 Years Consecutive to Any Other Term of Imprisonment
$250,000 Fine
1 Year Supervised Release
$100 Special Assessment

Forfeiture Notice

TOTALS:	2 – 17 Years Imprisonment $1,000,000 Fine 3 Years Supervised Release $400 Special Assessment
AGENT:	Rick Near, USSS
AUSA:	Eric Heimann, Assistant United States Attorney
ESTIMATED TIME OF TRIAL:	1 to 5 days
WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:	No
ARE THERE DETAINERS FROM OTHER JURISDICTIONS:	Yes.